

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE: NEW ENGLAND COMPOUNDING )  
PHARMACY, INC. PRODUCTS LIABILITY )  
LITIGATION ) MDL No. 1:13-md-2419-RWZ  
 )  
This Document Relates to: )  
All Cases )  
)

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**NECC'S POST-CONFIRMATION OFFICER'S  
NOTICE THAT NO PRIVILEGED DOCUMENTS WERE  
WITHHELD FROM ITS PRODUCTION OF DOCUMENTS RELATED  
TO THE TENNESSEE CLINIC DEFENDANTS' SUBPOENA DUCES TECUM**

Please take notice that in response to the Tennessee Clinic Defendants' Subpoena *Duces Tecum* issued to Paul Moore, Esq., Post-Confirmation Officer for New England Compounding Center ("NECC"), the Estate of NECC produced responsive documents via a secured FTP site on on May 1, 2015. Pursuant to Magistrate Judge Boal's Order dated October 15, 2015 (the "Order"), NECC made a supplemental production of responsive documents on October 29, 2015. Further, pursuant to the Order, NECC was also to provide a privilege log for documents withheld from these two productions based on a claim of privilege. However, no documents responsive to the Tennessee Clinic Defendants' Subpoena *Duces Tecum* were withheld based on a claim of privilege; therefore no privilege log can be produced.

Dated: November 12, 2015

Respectfully submitted,

**HARRIS BEACH PLLC**

/s/ *Frederick H. Fern*

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England Compounding Center*

**Certificate of Service**

I, Frederick H. Fern, hereby certify that on November 12, 2014, I caused a copy of the foregoing document, which was filed using this Court's ECF system, to be served electronically upon those parties registered to receive ECF service.

/s/ Frederick H. Fern  
Frederick H. Fern